

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

United States Court of Appeals
Fifth Circuit

FILED

October 20, 2009

No. 09-40358
Conference Calendar

Charles R. Fulbruge III
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

SAMUEL E. BAKER, JR.,

Defendant-Appellant

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 1:05-CR-705-1

Before WIENER, BENAVIDES, and STEWART, Circuit Judges.

PER CURIAM:*

Appealing the judgment in a criminal case, Samuel E. Baker, Jr., raises arguments that under the law of the case doctrine are foreclosed. *See United States v. Agofsky*, 516 F.3d 280, 283 (5th Cir.), *cert. denied*, 129 S. Ct. 64 (2008). The appellant's unopposed motion for summary disposition is GRANTED, and the judgment of the district court is AFFIRMED.

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.